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Customer No.: 29311

Docket No: 02427/100G685-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Patrick F. Kelly; Elio F. Vanin

Serial No.: 09/801,302

Art Unit:

1636

Filed:

March 7, 2001

Examiner:

Celine X. Qian, Ph.D.

Confirmation No.:

2679

HIGHLY EFFICIENT GENE TRANSFER INTO HUMAN REPOPULATION STEM For:

CELLS BY RD114 PSEUDOTYPED RETROVIRAL VECTOR PARTICLES

AMENDMENT AND RESPONSE TO THE FINAL OFFICE ACTION AND ADVISORY ACTION

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed on May 7, 2003 and Advisory Action mailed on September 23, 2003, please consider the following amendments and remarks.

Serial No. 09/801,302

Docket No. 02427/100G685-US1

Response to the Final Office Action dated May 7, 2003

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Amendments to the claims are reflected in the listing of claims which begins on page 3 of this paper. Remarks begin on page 7 of this paper. Submitted simultaneously herewith is a Request for Continued Examination and Petition for THREE (3) MONTHS Extension of Time with the required fees.

Serial No. 09/801,302
Response to the Final Office Action dated May 7, 2003
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Docket No. AMENDMENT TRANSMITTAL LETTER 02427/100G685-US1 Application No. Filing Date Examiner Art Unit 09/801,302 March 7, 2001 Celine X. Qian 1633 Applicant(s): Patrick F. Kelly, et al. RETROVIRAL VECTOR FOR HIGH EFFICIENCY TRANSDUCTION OF HEMATOPOIETIC Invention: STEM CELLS TO THE COMMISSIONER FOR PATENTS Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below. **CLAIMS AS AMENDED** Claims Highest Remaining Number Number After Previously **Extra Claims** Amendment Paid Present Rate **Total Claims** 20 30 Х Independent 2 4 Х Claims Multiple Dependent Claims (check if applicable) Other fee (please specify): TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: 0.00 Large Entity x Small Entity x No additional fee is required for this amendment. Please charge Deposit Account No. in the amount of \$ A duplicate copy of this sheet is enclosed. A check in the amount of \$ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. x The Director is hereby authorized to charge and credit Deposit Account No. 04-0100 as described below. A duplicate copy of this sheet is enclosed. Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. Dated: November 5, 2003 Irina E. Vairberg, Ph.D. Attorney Reg. No.: 48,008 DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7634

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